

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA

Plaintiff,

v.

**Case No. 18-cr-20451
Hon. Denise Page Hood**

FRANCISCO PATINO,

Defendant.

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UNITED STATES' PROPOSED VOIR DIRE QUESTIONS

The United States, through counsel, submits the following proposed questions for voir dire:

1. Does anyone know: (1) the defendant; or (2) the attorneys or their staff?
2. Do you know anything about this case from information you have heard in the media/news?
3. Does anyone know any of the government's or defendant's potential witnesses in this case? *[read from witness lists]*
4. Have you, a relative, or a close friend ever been involved in litigation against the federal or state government? If so, what were the circumstances?
5. Have any of you ever been employed or involved in any way with the medical field?

6. Does anyone believe that prescription pain medications, such as opioids, should not be regulated as controlled substances under federal law?
7. Do any of you believe that prescription pain medications, such as opioids, should be more widely available or that the government is unfairly limiting access to these drugs?
8. Do you, a relative, or a close friend have any personal experience with taking controlled substances, including prescription pain medications and medications used to treat opiate addiction?
9. Has anyone received treatment at a “pain clinic” or does anyone have a family member or close friend who received treatment at a “pain clinic”?
10. Have you, a relative, or a close friend ever been addicted to a controlled substance, such as a prescription pain medication or medications used to treat opiate addiction?
11. Has anyone received treatment at a “drug addiction treatment clinic” or does anyone have a family member or close friend who received treatment at a “drug addiction treatment clinic”?
12. Do any of you believe that a doctor can write a prescription for a controlled substance even if a patient does not have a legitimate medical need for that controlled substance?

13. Have any of you had a negative experience with the United States government? What about a member of your family or a close friend?
14. Do you have any strong sentiment about the justness of any recent prosecution brought by the United States Attorney's Office or the Department of Justice in this District?
15. Federal law enforcement agencies, including the United States Department of Health and Human Services Office of Inspector General and the Federal Bureau of Investigation, participated in the investigation of the Defendant. Have you, a family member, or a close friend had any experience with any of these agencies? Please describe your experience, positive or negative.
16. The United States is represented by the Criminal Division of the United States Department of Justice and by the United States Attorney's Office for the Eastern District of Michigan. Have you, a family member, or a close friend had any experience with these offices? Please describe your experience, positive or negative.
17. Have you or any member of your family or any of your close friends ever filed a lawsuit or complaint concerning the conduct of a law enforcement officer?
18. If a witness has previously been convicted of a crime, would you refuse to believe anything that person says in their testimony in court?

19. Even if you disagree with the law, would you be able to return a verdict of guilty, if the United States meets its burden beyond a reasonable doubt?
20. Does any member of the jury panel believe that they would have trouble following the Court's instructions regarding the law if they disagreed with it?
21. Irrespective of your personal feelings about any issue that may arise in this case, will you follow the law as the Court gives it to you during this case?
22. There are some people who, for moral, ethical, or religious reasons, believe that it is not proper, or who would find it difficult, to pass judgment on the conduct of others. Is there any one of you who holds such beliefs, or who might be affected by such beliefs?
23. Would you be able to find a doctor guilty of health care fraud, if the evidence presented by the government proved he committed that crime beyond a reasonable doubt?
24. Would you be able to find a doctor guilty of money laundering, if the evidence presented by the government proved he committed that crime beyond a reasonable doubt?
25. Would you be able to find a doctor guilty of conspiracy to commit health care fraud, wire fraud, money laundering, or accepting healthcare kickbacks if the evidence presented by the government proved he committed those crimes beyond a reasonable doubt?

26. Do you object to participating in a jury trial as a result of the COVID-19 pandemic?
27. Have you or someone you live with experienced symptoms of COVID-19, such as fever, nausea, or a cough within the last 14 days?
28. Have you or someone you live with tested positive for COVID-19?
29. Have you or someone you live with come in contact with someone who has been diagnosed with COVID-19 in the last 14 days?
30. Have you and those you live with substantially complied with state and federal guidance regarding social distancing and other preventative safety measures during the COVID-19 pandemic?
31. Do you have any personal belief or physical condition that would prevent you from wearing a face mask indoors for extended periods of time?
32. Are you a healthcare worker or first responder directly involved with the treatment of COVID-19?
33. Do you work in a job that places you in direct contact with individuals diagnosed with COVID-19 or do you live with anyone who is?
34. Have you traveled out of state at any time on or after July 19, 2021, or do you plan to engage in such travel prior to September 24, 2021?
35. Based on the previous questions, do any of you have any other information you feel you should provide to the court?

Respectfully submitted,

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s/
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Dated: August 11, 2021

CERTIFICATE OF SERVICE

I certify that on August 11, 2021, I caused the foregoing document to be electronically filed with the Clerk of Court using the ECF system, which will send notification of such filing to counsel for the defendant.

s/Kathleen C. Cooperstein
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